HON'BLE SRI JUSTICE BILAL NAZKI
AND
HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION No.18756 OF 2007

Date: 3-9-2007

Between:

M/s. Sagar Constructions,
3-6-295, Pioneer Chambers,
Hyderguda, Hyderabad,
Rep., by its Managing Partner
Mr. A. Anji Reddy

.....Petitioner

And

The Addl. Commissioner (CT), Legal,
Office of the Commissioner of
Commercial Taxes, C.T. Complex,
Nampally, Hyderabad and three others

.....Respondents

HON'BLE SRI JUSTICE BILAL NAZKI
AND
HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION No.18756 OF 2007

Order: (Per Bilal Nazki, J)

Heard learned counsel for the parties and the writ petition is being disposed of with the consent of the learned counsel for the parties.

The case of the petitioner is that it has filed an appeal before the Sales Tax Appellate Tribunal, Hyderabad and along with the appeal, an application for grant of stay has also been filed. Both the appeal and the stay application are pending. In the meantime, garnishee notice was issued to the 4th respondent which is unfair. According to the petitioner, the department should have waited till the disposal of the appeal or at least till the disposal of the stay application.

In this view of the matter, we direct the Sales Tax Appellate Tribunal, Hyderabad to dispose of the stay application within two weeks from the date of receipt of a copy of this order.

The writ petition is accordingly disposed of.

BILAL NAZKI, J

RAMESH RANGANATHAN,J

September 3, 2007

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Note: Operative portion by wire at party's costs.
B/O